

SPECIAL ISSUE

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REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2022

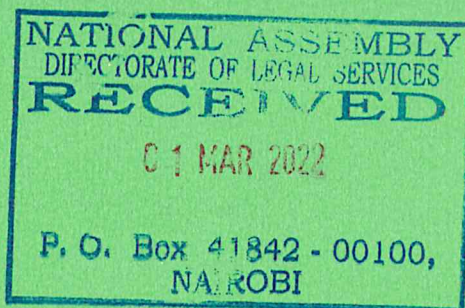
NAIROBI, 2nd February, 2022

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**THE NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND
(AMENDMENT) BILL, 2022**

A Bill for

AN ACT of Parliament to amend the National Government Constituencies Development Fund Act and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the National Government Constituencies Development Fund (Amendment) Act, 2022.

Short title.

2. Section 4 of the National Government Constituencies Development Fund Act is amended in subsection (1) (a) by deleting the expression “2.5% (two and half percentum)” and substituting therefor the expression “3.5% (three and half per centum)”.

Amendment of section 4 of No. 30 of 2015.

MEMORANDUM OF OBJECTS AND REASONS

Statement of Objects and Reasons for the Bill

The principal object of the Bill is to amend section 3 of the National Government Constituencies Development Fund Act, 2015 to provide for the adjustment of the minimum amount of money to be allocated to the National Government Constituencies Development Fund from two and half per centum to three and half per centum of the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218 of the Constitution.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill does not delegate legislative powers nor does it limit fundamental rights and freedoms.

Statement as to whether the Bill concerns county governments

The Bill does not affect the functions of the county governments and is therefore not a Bill concerning counties for purposes of Article 110 of the Constitution and the Standing Orders.

Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution

The Bill is a money Bill for the purposes of Article 114 of the Constitution as the enactment of this Bill will occasion additional expenditure of public funds.

Dated the 1st February, 2022.

JOHN PAUL MWIRIGI,
Member of Parliament.

Section 4 of the National Government Constituencies Development Fund Act which it is proposed to amend—

4. Establishment of the Fund

(1) There is established a fund to be known as the National Government Constituencies Development Fund which shall—

- (a) be a national government fund consisting of monies of an amount of not less than 2.5% (two and half percentum) of all the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218 of the Constitution;
- (b) comprise of any monies accruing to or received by the Board from any other source; and
- (c) be administered by the Board.

(2) All monies allocated under this Act shall be considered as funds allocated to constituencies pursuant to Article 206(2)(c) of the Constitution to be administered in accordance with the provisions of this Act.

(3) The monies appropriated to the Fund in any financial year under subsection (1)(a) shall not be less than the amount appropriated to the Fund in the preceding financial year unless as otherwise allowed by this Act.

